

REMARKS

Reconsideration and further examination is respectfully requested.

Claims 1-2 and 7-12 are rejected under 103(a) as being unpatentable over Theodorou (US Patent No. 5,716,074) in view of Petell (US Patent No. 5,738,360). According to the Examiner, Theodorou teaches all the elements of the instant invention including a frame with a curved lower portion, a front point stop, a front ball support and a plurality of rotating rollers behind a front ball support.

Upon close examination of Theodorou, it becomes clear however, that the frame of the skate is not curved. In fact, all the balls 16, 16a, 16b, and 16c, which are called "rotating wheels" are aligned on a straight line. Only the front "impact wheel" 18 and the rear brake 20, such as a "sphere" 20 are elevated above the line of the balls 16, 16a, 16b, and 16c since they are used only during the braking and to avoid hitting an obstruction in front of the skate, see column 6, lines 63 through column 7, line 8. That has nothing to do with having a curvature on the lower portion of the frame allowing the user to perform various skating maneuvers.

The second major distinction between Theodorou and the instant invention is that the invention discloses a skate design having a specific progression of elements from front to rear, namely a point stop, followed by a front ball support, followed then by a plurality of rollers. Theodorou teaches having a front "impact wheel" 18 (similar to the invention's point stop) followed by a plurality of ball supports without any rollers. There is no mentioning in Theodorou of a front ball support behind a point stop and followed by a line of rollers. By her own admission, the Examiner indicates that the plurality of rotating rollers 16a, 16b, and 16c (actually called "rolling wheels" by Theodorou) are *located behind the stop 18, and not behind the front ball support*. The reason why this is important is that the user is limited in the types of maneuvers using the skate by Theodorou since without the plurality of rollers behind the front

ball support the entire skate can easily slide sideways. That leads in turn to loss of stability during skating. On the other side, the presence of front ball support according to the instant invention allows for performance of a greater number of maneuvers than the skate by Petell as was discussed in greater detail in the previous Response to the Office Action. Therefore, the combination of elements proposed in the instant invention, namely *a point stop, followed by a front ball support, followed then by a plurality of rollers* is unique and is not fairly suggested in either Theodorou or Petell or a combination thereof.

With regard to claim 2, the impact wheel 18 is not fixed in position. Instead, it is held in place by axle 18a and allowed to rotate. According to the instant invention, the roller used as a front point stop is prevented from rotation (i.e. "fixed in place") by a removable pin 21, Fig. 2, located at a place away from the axis of rotation of the roller. Claim 2 is revised accordingly. The importance of that difference is in the fact that *rotating roller simply cannot be used as a front point stop*.

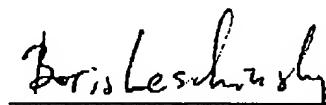
With regard to claims 7-12, the rollers of the instant invention cannot be equated with the balls 16, 16a, 16b, and 16c of Theodorou because the balls do not provide for lateral stability of the skate.

Claim 5 is rejected under 103(a) as being unpatentable over Theodorou (US Patent No. 5,716,074) in view of Petell (US Patent No. 5,738,360) and further in view of Turner (US Patent No. 1,868,548). In addition to the discussion above on the differences between the instant invention and Theodorou with Petell, Applicant submits that the front element 29 of Turner is not a tapered bushing but rather a "tip, point or pivot set in short rotating cylinder 30 secured to the frame by a bolt and nut 31", see page 2, lines 88-91. There is no discussion of a tapered bushing found in Turner or elsewhere in the prior art.

Applicant has made a diligent effort to place the claims in condition for allowance or in better form for appeal. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Boris Leschinsky, Applicants' Agent at 201-262-0051 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

Nov 22, 2005
Date


Boris Leschinsky
Agent for Applicant
Reg. No. 41404

Boris Leschinsky
Patent Agent
P.O.Box 72
Waldwick, NJ 07463
Tel. 201-262-0051